

Attorney Docket: 112.P14217

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CENTRAL FAX CENTER**NOV 13 2006****REMARKS**

Claims 1-11 and 13-28 are pending in the above-referenced patent application. In this response, claim 7 has been amended, and no claims have been added or cancelled.

Objections to the Specification

In the Final Office Action, dated September 11, 2006, the Examiner objected to the specification for not describing a method as claimed in claim 19. This rejection is respectfully traversed. It is respectfully submitted that claims 19-21 are adequately described by the specification such that one skilled in the art would be able to make and/or use the subject matter of claims 19-21. For example, one skilled in the art would be able to refer at least to paragraphs [0021] – [0024], and figures 3-5 to perform a method as claimed in claims 19-21. Accordingly, it is respectfully requested that the Examiner withdraw this objection to claims 19-21.

Objections to the Figures

In the Final Office Action, the Examiner objected to the drawings for not showing a flowchart corresponding to claims 19-21. It is respectfully submitted that claims 19-21 are adequately described by the specification and figures, such that one skilled in the art would be able to make and/or use the subject matter of claims 19-21. In accordance with 37 CFR 1.181, it is respectfully submitted that a flowchart is not “necessary for the understanding of the subject matter sought to be patented” as stated in 37 CFR 1.181, and one skilled in the art would be able to refer at least to paragraphs [0021] – [0024], and figures 3-5 to perform a method as claimed in claims 19-21. Accordingly, it is respectfully submitted that the drawings as filed comply with the requirements of 37 CFR 1.181, and it is respectfully requested that the Examiner withdraw this objection to the drawings.

Objections to the Claims

In the Final Office Action, the Examiner objected to claim 7, noting an inadvertent typographical error. Claim 7 has been amended in accordance with the Examiner’s suggestion, and it is respectfully

submitted that the amendment to claim 7 obviates the objection. Accordingly, it is respectfully requested that the Examiner withdraw this objection to claim 7.

Claim Rejections – 35 USC §112, first paragraph

In the Final Office Action, the Examiner rejected claims 13-18 under 35 USC §112, first paragraph for lack of enablement. This rejection is respectfully traversed. It is respectfully submitted that claims 13-18 are adequately enabled by the specification and claims, and comply with the provisions of 35 USC §112, first paragraph. For example, one skilled in the art could look at least to paragraph [0013] to enable one skilled in the art to make and/or use the subject matter of claims 13-18. For example, quoting from paragraph [0013], "From the above descriptions, this invention provides a special optical light source scanner with self-collection ability, it can collect the scattering light into a light beam, then emits the light beam on the document line to be scanned, and therefore the light intensity on the scan line is greatly enhanced. Also, using the auxiliary light sources can further improve the uniformity of light flux received by the light-detecting device." (emphasis supplied). It is respectfully submitted that the limitation "means for sensing" is adequately enabled at least by paragraph [0013], in accordance with 35 USC §112, first paragraph. Accordingly, it is respectfully requested that the Examiner withdraw this rejection to claims 13-18.

Claim Rejections – 35 USC §103(a)

The Examiner has rejected claims 1, 3-5, 22, 24-26 and 28 under 35 USC §103(a) as being unpatentable over Ichikawa in view of Natori (U.S. Pat. No. 4,908,717); rejected claims 2, 23 and 27 under 35 USC §103(a) as being unpatentable over Ichikawa in view of Natori, and further in view of Kramer (U.S. Pat. No. 4,371,897); rejected claims 9, 11, 19 and 21 under 35 USC §103(a) as being unpatentable over Ichikawa in view of Beeman (U.S. Pat. No. 6,917,452); rejected claims 10 and 20 under 35 USC §103(a) as being unpatentable over Ichikawa in view of Beeman and further in view of Kramer; and rejected claims 6-8 under 35 USC §103(a) as being unpatentable over Ichikawa in view of

Natori, and further in view of Kawai et al. (U.S. Pat. No. 6,360,030, hereinafter "Kawai"). These rejections are respectfully traversed.

Ichikawa v. Natori

Assignee respectfully submits that claims 1, 3-5, 22, 24-26 and 28 are not rendered obvious over Ichikawa in view of Natori. It is noted that in order to establish *prima facie* obviousness there must be some suggestion or motivation to modify or combine reference teachings, and the combination, if successful, must teach or suggest all of the claim limitations. As stated in the Manual for Patent Examining Procedure (MPEP), § 2142/2143, "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." It is respectfully submitted that the cited references do not meet these criteria. For example, the cited art does not teach or suggest all the claim limitations.

Examiner concedes that Ichikawa has several deficiencies. For example, from page 3 of the Final Office Action, Examiner states that "Ichikawa et al. does not disclose a first light source and a second light source as auxiliary light sources disposed proximate to the first end and second end of the light source". Furthermore, the light source of Ichikawa does not teach or suggest at least "a primary light source comprising a tube having a first end and a second end, wherein the tube includes a tube wall applied with a total reflective material", as recited in claim 1. The light source of Ichikawa is coated with a phosphor, and not a total reflective material. See, for example, col 4:8 – col 4:16 of Ichikawa.

Further, as conceded by Examiner, Natori fails to cure the deficiencies noted above. As a result, any combination of Ichikawa and Natori would not teach or suggest all the claim limitations. For example, Natori is directed toward an image scanner using a light emitting rod. Natori does not teach

or suggest at least "a primary light source comprising a tube having a first end and a second end, wherein the tube includes a tube wall applied with a total reflective material, such that an opening for emitting a light beam collected from scattered light is formed; a first and a second auxiliary light source, disposed proximate to the first and second end respectively of the primary light source", as recited in claim 1. Natori is directed toward a rod-type light source, but does not teach or suggest a light source having a tube wall applied with a total reflective material. Furthermore, the Examiner concedes that Natori does not include the limitations noted as being absent from Ichikawa. For example, quoting from the Final Office Action, page 3-4, "Although those means and methods of Natori do not include employing a first light source and a second light source disposed proximate to the first end and second end of the fluorescent light tube, one of ordinary skill in the art would have realized that the simplest way to compensate for a low light level is to employ a light source at where the low light level occurs, which is at each of the two end portions of the fluorescent tube of Natori."

It is respectfully submitted that the Examiner has failed to meet the requirements for a *prima facie* showing of obviousness, because, as conceded by the Examiner, any combination of Ichikawa and Natori still does not teach or suggest all the claim limitations. It is respectfully requested that the Examiner provide a prior art document that includes the limitations absent in both Ichikawa and Natori, or withdraw the rejection to claims 1, 3-5, 22, 24-26 and 28.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Accordingly, it is respectfully requested that the Examiner withdraw his rejections of these claims.

Ichikawa v. Natori v. Kramer

Assignee respectfully submits that claims 2, 23 and 27 are not rendered obvious over Ichikawa in view of Natori and further in view of Kramer. As noted above, any combination of Ichikawa and Natori fails to teach or suggest all the claim limitations of the rejected claims. Further, Kramer fails to cure the deficiency noted above, and, accordingly, any combination of Ichikawa, Natori and Kramer would still not teach or suggest all the claim limitations.

For example, Kramer is directed toward a reflective coating applied to a collector rod. Referring to claim 2, as amended, Kramer does not teach or suggest "a primary light source comprising a tube having a first end and a second end, wherein the tube includes a tube wall applied with a total reflective material, such that an opening for emitting a light beam collected from scattered light is formed; a first and a second auxiliary light source, disposed proximate to the first and second end respectively of the primary light source", as recited in claim 1, from which claim 2 depends, and, as noted above, Ichikawa and Natori do not teach or suggest at least these claim limitations.

It is respectfully submitted that the Examiner has failed to meet the requirements for a *prima facie* showing of obviousness, because, as conceded by the Examiner, any combination of Ichikawa and Natori does not teach or suggest all the claim limitations, and Kramer fails to cure this deficiency. Accordingly, any combination of Ichikawa, Natori and Kramer would still fail to teach or suggest all the claim limitations. Accordingly, it is respectfully submitted that claims 2, 23 and 27 are in a condition for allowance.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Accordingly, it is respectfully requested that the Examiner withdraw his rejections of these claims.

Ichikawa v. Beeman

Assignee respectfully submits that claims 9, 11, 19 and 21 are not rendered obvious over Ichikawa in view of Beeman. For example, it is respectfully submitted that any combination of Ichikawa and Beeman would still not teach or suggest all the claim limitations.

The Examiner concedes that Ichikawa does not teach or suggest at least one limitation of the rejected claims. According to the Examiner, "Ichikawa et al. differs from the claimed invention in that the total reflective material (24) is applied to the interior tube wall of the light source (50 or 70) to have a uniform depth". Additionally, the Examiner has mischaracterized Ichikawa. The coating (24) of Ichikawa is a coating of phosphor, not total reflective material as recited in claim 9.

Furthermore, Beeman fails to cure the deficiency noted above. For example, Beeman is directed toward a lamp having a fluorescent coating of a varying density. The lamp of Beeman has a coating of fluorescent material, and not a total reflective material. Accordingly, Beeman does not make up for the deficiencies of Ichikawa et al. in meeting limitations of claim 9.

It is respectfully submitted that the Examiner has failed to meet the requirements for a *prima facie* showing of obviousness, because any combination of Ichikawa and Beeman, proper or otherwise, does not teach or suggest all the claim limitations. Accordingly, it is respectfully submitted that claims 9, 11, 19 and 21 are in a condition for allowance.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Accordingly, it is respectfully requested that the Examiner withdraw his rejections of these claims.

Ichikawa v. Beeman v. Kramer

Assignee respectfully submits that claims 10 and 20 are not rendered obvious over Ichikawa in view of Beeman and further in view of Kramer. For example, it is respectfully submitted that any combination of Ichikawa, Beeman and Kramer would still not teach or suggest all the claim limitations.

As just an example, Ichikawa fails to teach or suggest "a primary light source comprising a tube having a tube wall, a first end, a second end, and a center portion, wherein the tube wall is applied with a total reflective material such that an opening for emitting a light beam is formed, wherein the total reflective material applied proximate to the first and second end comprises a total reflective material having a higher density than the material applied to the center portion of the tube wall", as recited in claim 9, from which claim 10 depends. Also as noted above, Beeman fails to cure the deficiencies of Ichikawa. Additionally, Kramer fails to cure these deficiencies of Ichikawa and Beeman. For example, Kramer is directed toward a reflective coating applied to a collector rod, and does not teach or suggest a "tube wall is applied with a total reflective material such that an opening for emitting a light beam is formed, wherein the total reflective material applied proximate to the first and second end comprises a

total reflective material having a higher density than the material applied to the center portion of the tube wall".

It is respectfully submitted that the Examiner has failed to meet the requirements for a *prima facie* showing of obviousness, because any combination of Ichikawa, Beeman and Kramer does not teach or suggest all the claim limitations. Accordingly, it is respectfully submitted that claims 10 and 20 are in a condition for allowance.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Accordingly, it is respectfully requested that the Examiner withdraw his rejections of these claims.

Ichikawa v. Natori v. Kawai

Assignee respectfully submits that claims 6-8 are not rendered obvious over Ichikawa in view of Natori, and further in view of Kawai. For example, as noted above, Ichikawa fails to teach or suggest all the claim limitations of the rejected claims, and Natori fails to cure the deficiencies of Ichikawa. For example, Ichikawa does not teach or suggest at least "a first and a second auxiliary light source, disposed proximate to the first and second end respectively of the primary light source", as recited in claim 6. Further, Natori likewise does not teach or suggest at least "a first and a second auxiliary light source, disposed proximate to the first and second end respectively of the primary light source".

Furthermore, Kawai is directed toward a lamp having a converging lens wall, but does not teach or suggest "a first and a second auxiliary light source, disposed proximate to the first and second end respectively of the primary light source". The Examiner concedes that neither of Ichikawa or Natori include these limitations. For example, quoting from the Final Office Action, page 10-11, "Ichikawa et al. does not disclose a first light source and a second light source as auxiliary light sources disposed proximate to the first end and second end of the light source"; "Although those means and methods of Natori do not include employing a first light source and a second light source disposed proximate to the first end and second end of the fluorescent light tube, one of ordinary skill in the art would have

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realized that the simplest way to compensate for a low light level is to employ a light source at where the low light level occurs, which is at each of the two end portions of the fluorescent tube of Natori."

It is respectfully submitted that the Examiner has failed to meet the requirements for a *prima facie* showing of obviousness, because, as conceded by the Examiner, any combination of Ichikawa and Natori still does not teach or suggest all the claim limitations. Furthermore, Kawai does not cure at least this deficiency noted by the Examiner. Accordingly, any combination of Ichikawa, Natori and Kawai still does not teach or suggest all the claim limitations. It is respectfully requested that the Examiner provide a prior art document that includes the limitations absent in Ichikawa, Natori and Kawai, or withdraw the rejection to claims 6-8.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Accordingly, it is respectfully requested that the Examiner withdraw his rejections of these claims.

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NOV 13 2006**CONCLUSION**

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, she is invited to contact the undersigned at (503) 439-6500. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: 11/13/06

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